

A school peer mediation program as a context for exploring therapeutic jurisprudence: can a peer mediation program inform the law?

Volume I

Nicole McWilliam

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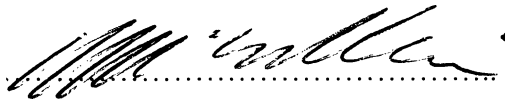
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I also certify that the thesis has been written by me. Any help that I have received in my research work and the preparation of the thesis itself has been acknowledged. In addition, I certify that all information sources and literature used are indicated in the thesis.

Signed

.....

Nicole McWilliam

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Abstract

This work is an exploratory study of a school peer mediation program, which was implemented as an alternative to a disciplinary approach to managing antisocial behaviour and destructive conflict in a school community. The study explores the effects of this program on the wellbeing of members of the school community by examining the perceptions of all students and staff as well as a sample of parents and former students. Drawing on therapeutic jurisprudence, the study examines whether the component parts of the program, separately or together, promote intended or unintended therapeutic effects for individual constituents and for the community as a whole. The therapeutic value of the component parts of the program are each explored separately from the outcomes of the individual conflict situations. Quantitative and qualitative data analyses from three data collection techniques were employed, using therapeutic jurisprudence as an organising and analytic tool, to detect and examine the therapeutic effects of the program. From the data collected, clear parallels can be drawn between the wellbeing benefits of the school peer mediation program and the aims and objectives of alternative dispute resolution processes being incorporated into problem solving areas in the legal system. The increasing prevalence of alternative dispute resolution processes in the legal system gives relevance to this thesis. Study findings emphasise the importance of mediation training and provide insights into how to optimally configure peer mediation programs for development and adoption in schools and other community settings. The study also highlights the lack of attention paid by the legal system to valuable scholarship in the area of school conflict resolution and peer mediation, which may have implications for the understanding and development of legal processes. The thesis briefly outlines a pilot project for a corrections community which arose as a direct response to the findings and is a practical application of the study findings.